

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RICHARD C. HENNING,

CASE NO. 5:13-cv-02360 EJD

ORDER TO SHOW CAUSE

Plaintiff(s),

v.

RACE STREET INVESTMENTS, LLC, et.
al.,

Defendant(s).


On October 8, 2013, the court scheduled the above-entitled action for a Case Management Conference on November 22, 2013, and ordered the parties to file a Joint Case Management Statement on or before November 15, 2013. See Docket Item No. 8. To date, the parties have failed to file either a Joint Case Management Statement or separate statements in anticipation of the conference. The court is unable to proceed further without the parties' participation.

Accordingly, the court hereby issues an order to show cause why this action should not be dismissed for failure to prosecute. If Plaintiff does not, **by December 2, 2013**, demonstrate good cause in writing why this case should not be dismissed, the court will dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). No hearing will be held on the order to show cause unless otherwise ordered by the court.

In light of this Order to Show Cause, the Case Management Conference is VACATED and will be reset by the court if necessary.

IT IS SO ORDERED.

Dated: November 19, 2013


EDWARD J. DAVILA
United States District Judge